

# Affidavit of Process Server

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

INTELLECT WIRELESS, INC.

VS T-MOBILE USA, INC.

078-C-1215

PLAINTIFF/PETITIONER

DEFENDANT/RESPONDENT

CASE NUMBER

I BARRY EVELAND being first duly sworn, depose and say: that I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to perform said service.

**Service:** I served VIRGIN MOBILE USA, INC

NAME OF PERSON / ENTITY BEING SERVED

with (list documents) SUMMONS & COMPLAINT

by leaving with SCOTT LASCALA PROCESS AGENT At  
NAME RELATIONSHIP

☐ Residence

ADDRESS

CITY / STATE

☒ Business

C/O THE CORPORATION TRUST CO. 1209 ORANGE ST. WILMINGTON, DE

ADDRESS

CITY / STATE

On 3/4/08

DATE

AT 12:45 PM

TIME

Thereafter copies of the documents were mailed by prepaid, first class mail on \_\_\_\_\_

DATE

from \_\_\_\_\_

CITY

STATE

ZIP

## Manner of Service:

☒ **Personal:** By personally delivering copies to the person being served.

☐ **Substituted at Residence:** By leaving copies at the dwelling house or usual place of abode of the person being served with a member of the household over the age of \_\_\_\_\_ and explaining the general nature of the papers.

☐ **Substituted at Business:** By leaving, during office hours, copies at the office of the person/entity being served with the person apparently in charge thereof.

☐ **Posting:** By posting copies in a conspicuous manner to the front door of the person/entity being served.

**Non-Service:** After due search, careful inquiry and diligent attempts at the address (es) listed above, I have been unable to effect process upon the person/entity being served because of the following reason(s):

☐ Unknown at Address    ☐ Moved, Left no Forwarding    ☐ Service Cancelled by Litigant    ☐ Unable to Serve in Timely Fashion  
☐ Address Does Not Exist    ☐ Other \_\_\_\_\_

**Service Attempts:** Service was attempted on: (1) \_\_\_\_\_ (2) \_\_\_\_\_  
DATE TIME DATE TIME

(3) \_\_\_\_\_ (4) \_\_\_\_\_ (5) \_\_\_\_\_  
DATE TIME DATE TIME DATE TIME

AGE 30 Sex M Race WH Height 5'9 Weight 180 HAIR BLACK

[Signature]  
SIGNATURE OF PROCESS SERVER

SUBSCRIBED AND SWORN to before me this 3/4/08 day of MARCH, 2008.

## OFFICIAL SEAL

KEVIN DUNN      NOTARY PUBLIC  
NEW CASTLE COUNTY STATE OF DELAWARE  
MY COMMISSION EXPIRES NOV. 23, 2010

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

NOTARY PUBLIC for the state of DELAWARE

AO 440 (Rev. 05/00) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

INTELLECT WIRELESS, INC.,

Plaintiffs,

V.

## SUMMONS IN A CIVIL CASE

CASE NUMBER: 08-C-1215

T-MOBILE USA, INC., UNITED STATES  
CELLULAR CORP., VIRGIN MOBILE, USA, INC.,  
HELIO, INC.

ASSIGNED JUDGE: HON. JOAN B. GOTTSCHALL

Defendant.

DESIGNATED  
MAGISTRATE JUDGE: HON. SUSAN E. COX

TO: (Name and address of Defendant) Any duly authorized representative or agent of

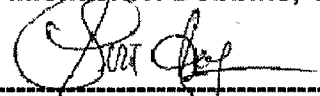
Virgin Mobile USA, Inc.  
c/o The Corporation Trust Company  
Corporation Trust Center  
1209 Orange Street  
Wilmington, DE 19801

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

David J. Mahalek  
Niro, Scavone, Haller & Niro  
181 West Madison Street  
Suite 4600  
Chicago, IL 60602

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk



(By) DEPUTY CLERK

March 3, 2008

Date



AO 440 (Rev. 05/00) Summons in a Civil Action

<b>RETURN OF SERVICE</b>		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	
NAME OF SERVER ( <i>PRINT</i> )	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ _____		
<input type="checkbox"/> Returned unexecuted: _____ _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
<b>STATEMENT OF SERVICE FEES</b>		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____  <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> <div style="text-align: center;">Date</div> <div style="text-align: center;"><i>Signature of Server</i></div> </div>   <div style="text-align: center; margin-top: 20px;">           _____  <i>Address of Server</i> </div> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.